



Traveling Abroad with Your Pet Bird

The Wild Bird Conservation Act (Act), a significant step in international conservation efforts to protect exotic birds subject to trade, became effective on October 23, 1992.

The Act focuses on bird species listed in the Appendices to the Convention on International Trade in Endangered Species (CITES). Since most exotic pet birds (including parrots, cockatoos, and macaws but excepting budgerigars and cockatiels) are species listed under CITES, most are affected by the Act. The U.S. Fish and Wildlife Service (Service) recently issued regulations implementing the Act that provide for permits to allow foreign travel with your pet bird (domestic travel and sales are not affected). If you plan to take your pet bird with you on foreign travel, or your residence has been outside the United States for a year and you plan to travel to the United States with a pet bird, you will need to have a permit before you travel. These new regulations are in addition to any other existing requirements of CITES, the Endangered Species Act, and other applicable statutes. If you are unsure whether these regulations apply to you, contact the Service's Office of Management Authority at the address provided.

Leaving the United States with Your Pet Bird

To ensure that you will be allowed to bring your pet bird back into the United States from travel abroad, you will need to take the following steps before you leave:

1. Obtain a valid permit from the Office of Management Authority. Applications for permits must be received in that office at least 60 days in advance of anticipated travel.
2. Have your permit validated by a Fish and Wildlife Service Wildlife Inspector before you leave the United States.

(Instructions will be provided on the permit.)

3. Take a copy of your validated permit with you. This copy must be presented when you re-enter the United States with your pet.

4. Find out whether the country(ies) you plan to visit have additional import and export requirements and restrictions. **At a minimum, a re-export certificate from the country(ies) visited will be required.** The Office of Management Authority can provide you with a contact address, phone or fax number for CITES permits offices in other countries.

There are no restrictions on the length of time you may travel abroad or on the number of birds you may take with you.

Traveling to the United States with Your Pet Bird

If your pet bird was acquired outside the United States **or** exported abroad from the United States without a CITES permit, and you have resided outside the United States constantly for 1 year, you may import a maximum of two pet birds per person, per year, if all applicable requirements have been met prior to their arrival in the United States.

Following are the steps you need to take before you leave for the United States:

1. Obtain a valid permit from the Office of Management Authority. Applications for permits must be received in that office at least 60 days in advance of anticipated travel.
2. Obtain documented evidence that you have resided outside the United States continuously for a minimum of 1 year.
3. Obtain documented evidence that each bird was acquired legally.
4. Obtain all other necessary permits from the country(ies) of export, including a CITES permit.

Note: The Act restricts the number of pet birds individuals may import into the



United States annually. However, if your bird is one of the following species you do not need a WBCA permit to import your pet.

Approved Captive-Bred Species

Order Falconiiformes:

Buteo buteo (European buzzard)

Order Columbiformes:

Columba livia (Rock dove)

Order Psittaciformes:

Agapornis personata (Masked lovebird)

Agapornis roseicollis (Peach-faced lovebird)

Aratinga jandaya (Jendaya conure)

Barnardius barnardi (Mallee ringneck parrot)

Bolborhynchus lineola (Lineolated parakeet-blue form)

Bolborhynchus lineola (Lineolated parakeet-yellow form)

Bolborhynchus lineola (Lineolated parakeet-white form)

Cyanoramphus auriceps (Yellow-fronted parakeet)

Cyanoramphus novaezelandiae (Red-fronted parakeet)

Forpus coelestis (Pacific parrotlet-lutino form)

Forpus coelestis (Pacific parrotlet-yellow form)

Forpus coelestis (Pacific parrotlet-blue form)

Forpus coelestis (Pacific parrotlet-cinnamon form)

Melopsittacus undulatus (Budgerigar)

Neophema bourkii (Bourke's parrot)

Neophema chrysostoma (Blue-winged parrot)

Neophema elegans (Elegant parrot)

*Neophema pulchella** (Turquoise parrot)

*Neophema splendida** (Scarlet-chested parrot)

Nymphicus hollandicus (Cockatiel)

Platycercus adalaidae (Adelaide rosella)

Platycercus adscitus (Pale-headed rosella)

Platycercus elegans (Crimson rosella)

Platycercus eximius (Eastern rosella)

Platycercus icterotis (Western (stanley) rosella)

Platycercus venustus (Northern rosella)

Polytelis alexandrae (Princess parrot)

Polytelis anthopeplus (Regent parrot)

Polytelis swainsonii (Superb parrot)

*Psephotus chrysopterygius** (Golden-shouldered parakeet)

Psephotus haematonotus (Red-rumped parakeet)

Psephotus varius (Mulga parakeet)

Psittacula eupatria (Alexandrine parakeet-blue form)

Psittacula eupatria (Alexandrine parakeet-lutino form)

Psittacula krameri manillensis (Indian ringneck parakeet)

Purpureicephalus spurius (Red-capped parrot)

Trichoglossus chlorolepidotus (Scaly-breasted lorikeet)

Order Passeriformes:

Aegintha temporalis (Red-browed finch)

Aidemosyne modesta (Cherry finch)

Chloebia gouldiae (Gouldian finch)

Emblema guttata (Diamond sparrow)

Emblema picta (Painted finch)

Lonchura castaneothorax (Chestnut-breasted finch)

Lonchura domestica (Society (Bengalese) finch)

Lonchura pectoralis (Pictorella finch)

Neochmia ruficauda (Star finch)

Poephila acuticauda (Long-tailed grassfinch)

Poephila bichenovii (Double-barred finch)

Poephila cincta (Parson finch)

Poephila guttata (Zebra finch)

Poephila personata (Masked finch)

Serinus canaria (common canary)

Applications and Additional Information

Permit applications (Form 3-200) and any other information you may need are available from the Office of Management Authority (telephone 703.358.2104 or Fax 703.358.2281).

Warning: The Department of Agriculture has disease quarantine requirements for birds entering the United States. You can obtain information about quarantine requirements by contacting the Department of Agriculture at 301.734.8172.

International Affairs
Office of Management Authority
4401 N. Fairfax Drive, Room 700
Arlington, VA 22203
703/358/2095
703/358-2281 fax
r9ia_oma@fws.gov
international.fws.gov

U.S. Fish & Wildlife Service
www.fws.gov

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Department of the Interior
U.S. Fish and Wildlife Service

Expires (1/31/01)
OMB No. 1018-0093

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION FORM

RETURN TO:

Office of Management Authority
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive, Room 700
Arlington, VA 22203
1-800-358-2104 or 703-358-2104

Type of Activity:

IMPORT OF PERSONAL PET BIRDS
(Wild Bird Conservation Act)

A. COMPLETE IF APPLYING AS AN INDIVIDUAL			
1. Name:			
2. Street address:			3. County:
4. City, State, Zip code:			
5. Date of birth:	6. Social Security No.:	7. Occupation:	
8. List any business, agency, organizational, or institutional affiliation associated with the wildlife to be covered by this license or permit:			
9. Home telephone number:	10. Work telephone number:	11. Fax number:	12. E:mail address:

B. COMPLETE IF APPLYING AS A BUSINESS, CORPORATION, PUBLIC AGENCY OR INSTITUTION			
1. Name of business, agency or institution:			2. Tax identification no.:
3. Street address:			4. County:
5. City, State, Zip code:			
6. Describe the type of business, agency, or institution:			
7. Name and title of person responsible for permit (president, principal officer, director, etc.):			
8. Home telephone number:	9. Work telephone number:	10. Fax number:	11. E:mail address:

C. ALL APPLICANTS COMPLETE	
1. Do you currently have or have you had any Federal Fish and Wildlife License or Permit? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, list license or permit numbers:	
2. Have you obtained any required state or foreign government approval to conduct the activity you propose? Yes <input type="checkbox"/> No <input type="checkbox"/> Not required <input type="checkbox"/> If yes, provide a copy of the license or permit.	
3. Enclose check or money order payable to the U.S. FISH AND WILDLIFE SERVICE in the amount of \$25. Institutions which qualify under 50 CFR 13.11(d)(3) may be exempt from fees.	
4. ATTACHMENTS: Complete the additional pages of this application. Application will not be considered complete without these pages. Incomplete applications may be returned.	
5. CERTIFICATION: I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13, of the Code of Federal Regulations and the other applicable parts in subchapter B of Chapter I of Title 50, and I further certify that the information submitted in this application for a license or permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to the criminal penalties of 18 U.S.C. 1001.	
6. Signature (in ink) of applicant or person responsible for permit in Block A or B	7. Date:

D. IMPORT OF PERSONAL PET BIRDS (*Wild Bird Conservation Act*)

1. Provide the following for each bird to be imported:

<i>Qty</i>	<i>Scientific name</i> (<i>genus and species</i>)	<i>Common name</i>	<i>Source*</i> (W, C)	<i>Hatch date</i>	<i>Sex</i>	<i>Band no.</i>	<i>House name</i>	<i>Other ID</i>
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____

*W = bird originated in the wild; C = bird bred in captivity.

2. Please attach the following:

- If **bred in captivity**, provide signed breeder's statement or statement with name and address of breeder, date of sale or transfer, species and hatch date. Also provide copies of any CITES permit(s) under which the bird(s) was previously exported or re-exported. If this information is unavailable, please provide all the information you know about the origin of the bird(s) and a description of the circumstances under which you acquired the bird (i.e. where, when, from whom, etc.) on an attached sheet.
- If bird(s) **originated in the wild**, provide country of origin and include a copy of any CITES permit(s) under which the bird(s) was previously exported or re-exported.
- If you **do not know** the origin of your bird(s), please provide a complete description of the circumstances under which you acquired the bird(s) (i.e., where, when, from whom, etc.) on an attached sheet.

3. Provide documentation to show you have continually resided outside of the United States for at least one (1) year.

4. How many exotic birds have you imported as personal pets in the last 12 months? _____

5. Indicate the current location of your pet bird(s): _____

6. Provide your foreign address: _____

Please be sure to include your **U.S.** address on the first page.

7. Describe the type, size, and construction of any shipping containers, and describe the arrangements for watering and otherwise caring for the bird during transportation.

8. I understand that the purpose of activities for which wildlife is to be imported is for personally owned pets not intended for sale.

Applicant's signature: _____ Date: _____

9. If different from the above foreign address, indicate the address where you want the permit mailed if issued:

10. List the U.S. port through which the import will occur. If no port is indicated, import must be through a designated port for wildlife (see enclosed list).

PERMIT APPLICATION FORM INSTRUCTIONS

The following instructions pertain to the standard License/Permit Form 3-200 that must be completed as an application for a U.S. Fish and Wildlife Service permit. Please read the General Permit Procedures (50 CFR 13) sent with this package.

- * Complete all appropriate blocks/lines. Print clearly or type in the information. *A complete application prevents delays!*
- * Sign the application *in ink* and send an *original* to the address on the top of the application. Faxed copies will not be accepted.
- * Applications will be processed in the order they are received.

Most of the application form is self-explanatory, but the following provides some further assistance for completing the form.

COMPLETE EITHER BLOCK A OR BLOCK B:

- Block A. **"Complete if applying as an individual"** - Enter the complete name of the responsible party who will be the permittee if a permit is issued. Enter personal information that identifies the applicant. All blocks must be completed. If you are applying on behalf of a client, the personal information must pertain to the client. A notarized document stating power of attorney must be included with the application.
- Block B. **"Complete if applying as a business, corporation, public agency or institution"** - Enter the complete name and address of the business, agency or institution who will be the permittee if a permit is issued. Give a brief description of the type of business the applicant is engaged in, the name and phone number of the person in charge, and if the company is incorporated, the state in which it was incorporated.

ALL APPLICANTS COMPLETE BLOCK C:

- Block C.1 **"Do you currently have or have had any Federal Fish and Wildlife license or permits?"** - List the number of any FWS or CITES permits. If applying for a renewal, the original permit must be returned with this application.
- Block C.2 **"Have you obtained any required state or foreign government approval to conduct the activity you propose?"** - If the proposed activity is regulated, check the appropriate box. If "yes", list the State or foreign countries involved and type of document required. Include a copy of these documents with the application. If "no" indicate what steps you have taken to secure approval (use attachment if necessary). If the proposed activity is not regulated check "not required".
- Block C.3 **"Check or money order (if applicable)"** - There is a permit processing fee unless you are fee exempt. Consult the enclosed APPLICATION PROCESSING FEE SCHEDULE information. Make the check or money order payable to the **U.S. Fish and Wildlife Service** and attach it to the application form. If fee exempt, write "exempt" in this space.
- Block C.4 **"Attachments"** - Consult the fact sheet or regulation. Provide any required additional information outlined on the supplemental page(s) of the application form. Be as complete and descriptive as possible. If there is any doubt as to the information's relevance, include it with the application. An incomplete or unclear application may cause delays in processing.
- Block C.5 **"CERTIFICATION"** - The **individual applicant in Block A, the person named in Block B, or person with power of attorney must sign and date** the application in ink. This signature binds that person to the statement of certification. This means that you certify that you read and understood the regulations that apply to the permit. You also certify that everything included in the application is true to the best of your knowledge. Be sure to read the statement and re-read the application before signing.

Application for a Federal Fish and Wildlife License/Permit

PRIVACY ACT - NOTICE

In accordance with the Privacy Act of 1974 (5 U.S.C. 552a), please be advised that:

The gathering of information on fish and wildlife is authorized by: (a) Bald Eagle Protection Act (16 U.S.C. 663a); (b) Endangered Species Act of 1973 (16 U.S.C. 1539); (c) Migratory Bird Treaty Act (16 U.S.C. 703-711); (d) Marine Mammal Protection Act of 1972 (16 U.S.C. 1371-1383); (e) Wild Bird Conservation Act (16 U.S.C. 4901-4916); (f) Lacey Act (18 U.S.C. 42 & 44); and (g) Title 50, Part 13, of the Code of Federal Regulations.

Submission of requested information is required in order to process applications for licenses or permits authorized under the above acts. With the exception of your social security number, failure to provide all requested information will be sufficient cause for the U.S. Fish and Wildlife Service to deny a permit.

Applications for license or permits authorized under the Endangered Species Act of 1973 (16 U.S.C. 1539) and the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371-1383) will be published in the **Federal Register** as required by the two acts.

In the event a violation of a statute, regulations, rule, order, or license, whether civil, criminal, or regulatory in nature is discovered during the application review process, the requested information may be transferred to the appropriate Federal, State, local, or foreign agency charged with investigating or prosecuting such violations.

In the event of litigation involving the records or the subject matter of the records, the requested information may be transferred to the U.S. Department of Justice or appropriate law enforcement authorities.

Information provided in the application may be disclosed to subject matter experts, and State and other Federal agencies, for the sole purpose of obtaining advice relevant to issuance of the permit.

For individuals, personal information such as home address and telephone number, financial data, and personal identifiers (social security number, birth date, etc.) will be removed prior to any release of the application.

APPLICATION PROCESSING FEE

The fee to process a Wild Bird Conservation Act personal pet bird import application is \$25.00. Checks should be made payable to "U.S. Fish and Wildlife Service". The fee applies to permit applications, renewals, and amendments. The processing fees shall not be refunded if the permit is issued or denied, or if the application is abandoned.

The Office of Management Authority may, at its discretion, group parts of a transaction or series of transactions for the purpose of assessing a fee, the general rule being that each part of a transaction requiring separate processing and a separate permit shall require a separate fee. Application fees shall not be additive for parts of a particular transaction or series of transactions if they can be processed and accommodated under one permit, but shall be the greatest amount of any of those parts.

APPLICATION PROCEDURES -- EXCERPTS FROM 50 CFR 13 -- GENERAL PERMIT PROCEDURES

Subpart A -- Introduction

§ 13.1 General.

Each person intending to engage in an activity for which a permit is required by this subchapter B shall, before commencing such activity, obtain a valid permit authorizing such activity. Each person who desires to obtain the permit privileges authorized by this subchapter must make application for such permit in accordance with the requirements of this part 13 and the other regulations in this subchapter which set forth the additional requirements for the specific permits desired. If the activity for which permission is sought is covered by the requirements of more than one part of this subchapter, the requirements of each part must be met. If the information required for each specific permitted activity is included, one application will be accepted for all permits required, and a single permit will be issued.

§ 13.2 Purpose of regulations.

The regulations contained in this part provide uniform rules, conditions, and procedures for the application for and the issuance, denial, suspension, revocation, and general administration of all permits issued pursuant to this subchapter B.

§ 13.3 Scope of regulations.

The provisions in this part are in addition to, and are not in lieu of, other permit regulations of this subchapter and apply to all permits issued thereunder, including "Import and Marking" (part 14), ~~"Feather Imports"~~ ["Wild Bird Conservation"] (part 15), "Injurious Wildlife" (part 16), "Endangered Wildlife and Plants" (part 17), "Marine Mammals" (part 18), "Migratory Birds" (part 21), "Eagles" (part 22) and "Endangered Species Convention" (part 23). As used in this part 13, the term "permit" shall refer to either a license, permit, or certificate as the context may require.

§ 13.4 Emergency variation from requirements.

The Director may approve variations from the requirements of this part when he finds that an emergency exists and that the proposed variations will not hinder effective administration of this subchapter B, and will not be unlawful.

Subpart B -- Application for Permits

§ 13.11 Application procedures.

The Service may not issue a permit for any activity authorized by this subchapter B unless the applicant has filed an application in accordance with the following procedures. Applicants do not have to submit a separate application for each permit unless otherwise required by this subchapter.

(a) *Forms.* Applications must be submitted in writing on a Federal Fish and Wildlife License/Permit Application (Form 3-200) or as otherwise specifically directed by the Service.

(b) *Forwarding instructions.* Applications for permits in the following categories should be forwarded to the issuing office indicated below.

(1) Migratory bird banding permits (50 CFR 21.22) -- Bird Banding Laboratory, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Laurel, Maryland 20708. (Special application forms must be used for bird banding permits. They may be obtained by writing to the Bird Banding Laboratory).

(2) Exception to designated port (50 CFR part 14), import/export license (50 CFR 14.93), migratory bird permit, other than banding (50 CFR part 21) and Bald or Golden eagle permits (50 CFR part 22) -- Assistant Regional Director for Law Enforcement of District in which the applicant resides (see 50 CFR 10.22 for addresses and boundaries of the Law Enforcement Districts).

(3) ~~Feather quota~~ [Wild bird conservation] (50 CFR part 15), injurious wildlife (50 CFR part 16), endangered and threatened species (50 CFR part 17), marine mammal (50 CFR part 18) and permits and certificates for the Convention on International Trade in Endangered Species (CITES) (50 CFR part 23) -- U.S. Fish and Wildlife Service, ~~Federal Wildlife Permit Office, P.O. Box 3654,~~ [Office of Management Authority, 4401 N. Fairfax Drive, Room 700,] Arlington, Virginia 22203.

(c) *Time notice.* The Service will process all applications as quickly as possible. However, it cannot guarantee final action within the time limits the applicant requests. Applicants for endangered species and marine mammal permits should submit applications to the Office of Management Authority which are postmarked at least 90 calendar days prior to the requested effective date. Applicants for all other permits should submit applications to the issuing office which are postmarked at least 60 days prior to the requested effective date.

(d) *Fees.* (1) Unless otherwise exempted by this paragraph, applicants for issuance or renewal of permits must pay the required permit processing fee at the time of application. Applicants should pay fees by check or money order made payable to "U.S. Fish and Wildlife Service." The Service will not refund any application fee under any circumstances if the

Service has processed the application. However, the Service may return the application fee if the applicant withdraws the application before the Service has significantly processed it.

(2) Except as provided in paragraph (d)(4) of this section, the fee for processing any application is \$25.00. If regulations in this subchapter require more than one type of permit for an activity, and the permits are issued by the same office, the issuing office may issue one consolidated permit authorizing the activity. The issuing office may charge only the highest single fee for the activity permitted.

(3) A fee shall not be charged to any Federal, State or local government agency, nor to any individual or institution under contract to such agency for the proposed activities. The fee may be waived or reduced for public institutions (see 50 CFR 10.12). Proof of such status must accompany the application.

(4) *Nonstandard fees.*

Marine Mammal (Section 18.31)... 100

(e) *Abandoned or incomplete applications.* Upon receipt of an incomplete or improperly executed application, or if the applicant does not submit the proper fees, the issuing office will notify the applicant of the deficiency. If the applicant fails to supply the correct information to complete the application or to pay the required fees within 45 calendar days of the date of notification, the Service will consider the application abandoned. The Service will not refund any fees for an abandoned application.

§ 13.12 General information requirements on applications for permits.

(a) General information required for all applications. All applications must contain the following information:

(1) Applicant's full name, mailing address, telephone number(s), and,

(i) If the applicant is an individual, the date of birth, height, weight, hair color, eye color, sex, and any business or institutional affiliation of the applicant related to the requested permitted activity; or

(ii) If the applicant is a corporation, firm, partnership, association, institution, or public or private agency, the name and address of the president or principal officer and of the registered agent for the service of process;

(2) Location where the requested permitted activity is to occur or be conducted;

(3) Reference to the part(s) and section(s) of this subchapter B as listed in paragraph (b) of this section under which the application is made for a permit or permits, together with any additional justification, including supporting documentation as required by the referenced part(s) and section(s);

(4) If the requested permitted activity involves the import or re-export of wildlife or plants from or to any foreign country, and the country of origin, or the country of export or re-export restricts the taking, possession, transportation, exportation, or sale of wildlife or plants, documentation as indicated in § 14.52(c) of this subchapter B;

(5) Certification in the following language:

I hereby certify that I have read and am familiar with the regulations contained in title 50, part 13, of the Code of Federal Regulations and the other applicable parts in subchapter B of chapter I of title 50, Code of Federal Regulations, and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to suspension or revocation of this permit and to the criminal penalties of 18 U.S.C. 1001.

(6) Desired effective date of permit except where issuance date is fixed by the part under which the permit is issued;

(7) Date;

(8) Signature of the applicant; and

(9) Such other information as the Director determines relevant to the processing of the application.

(b) *Additional information required on permit applications.* As stated in paragraph (a)(3) of this section certain additional information is required on all applications. These additional requirements may be found by referring to the section of this subchapter B cited after the type of permit for which application is being made:

<u>Type of permit</u>	<u>Section</u>
Feather import quota [Wild bird conservation]	15.22
Importation or entry ...	15.25
Injurious wildlife	
Importation or shipment ...	16.22
Endangered wildlife and plant permits:	
Similarity of appearance ...	17.52
Scientific, enhancement of propagation or survival, incidental taking for wildlife...	17.22
Scientific, propagation, or survival for plants ...	17.62
Economic hardship for wildlife ...	17.23
Economic hardship for plants ...	17.63
Threatened wildlife and plant permits:	
Similarity of appearance ...	17.52
General for wildlife ...	17.32
American alligator--buyer or tanner...	17.42(a)

General for plants	17.72
Marine mammals permits:	
Scientific research	18.31
Public display	18.31
Endangered Species Convention permits...	23.15

Subpart C -- Permit Administration

§ 13.21 Issuance of permits.

(a) No permit may be issued prior to the receipt of a written application therefor, unless a written variation from the requirements, as authorized by § 13.4, is inserted into the official file of the Bureau. An oral or written representation of an employee or agent of the United States Government, or an action of such employee or agent, shall not be construed as a permit unless it meets the requirements of a permit as defined in 50 CFR 10.12.

(b) Upon receipt of a properly executed application for a permit, the Director shall issue the appropriate permit unless:

(1) The applicant has been assessed a civil penalty or convicted of any criminal provision of any statute or regulation relating to the activity for which the application is filed, if such assessment or conviction evidences a lack of responsibility.

(2) The applicant has failed to disclose material information required, or has made false statements as to any material fact, in connection with his application;

(3) The applicant has failed to demonstrate a valid justification for the permit and a showing of responsibility;

(4) The authorization requested potentially threatens a wildlife or plant population, or

(5) The Director finds through further inquiry or investigation, or otherwise, that the applicant is not qualified.

(c) *Disqualifying factors.* Any one of the following will disqualify a person from receiving permits issued under this Part.

(1) A conviction, or entry of a plea of guilty or nolo contendere, for a felony violation of the Lacey Act, the Migratory Bird Treaty Act, or the Bald and Golden Eagle Protection Act disqualifies any such person from receiving or exercising the privileges of a permit, unless such disqualification has been expressly waived by the Director in response to a written petition.

(2) The revocation of a permit for reasons found in §13.28 (a)(1) or (a)(2) disqualifies any such person from receiving or exercising the privileges of a similar permit for a period of five years from the date of the final agency decision on such revocation.

(3) The failure to pay any required fees or assessed costs and penalties, whether or not reduced to judgement disqualifies such person from receiving or exercising the privileges of a permit as long as such moneys are owed to the United States. This requirement shall not apply to any civil penalty presently subject to administrative or judicial appeal; provided that the pendency of a collection action brought by the United States or its assignees shall not constitute an appeal within the meaning of this subsection.

(4) The failure to submit timely, accurate, or valid reports as required may disqualify such person from receiving or exercising the privileges of a permit as long as the deficiency exists.

(d) *Use of supplemental information.* The issuing officer, in making a determination under this subsection, may use any information available that is relevant to the issue. This may include any prior conviction, or entry of a plea of guilty or nolo contendere, or assessment of civil or criminal penalty for a violation of any Federal or State law or regulation governing the permitted activity. It may also include any prior permit revocations or suspensions, or any reports of State or local officials. The issuing officer shall consider all relevant facts or information available, and may make independent inquiry or investigation to verify information or substantiate qualifications asserted by the applicant.

(e) *Conditions of issuance and acceptance.* (1) Any permit automatically incorporates within its terms the conditions and requirements of Subpart D of this part and of any part(s) or section(s) specifically authorizing or governing the activity for which the permit is issued.

(2) Any person accepting and holding a permit under this Subchapter B acknowledges the necessity for close regulation and monitoring of the permitted activity by the Government. By accepting such permit, the permittee consents to and shall allow entry by agents or employees of the Service upon premises where the permitted activity is conducted at any reasonable hour. Service agents or employees may enter such premises to inspect the location; any books, records, or permits required to be kept by this Subchapter B; and any wildlife or plants kept under authority of the permit.

(f) *Term of permit.* Unless otherwise modified, a permit is valid during the period specified on the face of the permit. Such period shall include the effective date and the date of expiration.

(g) *Denial.* The issuing officer may deny a permit to any applicant who fails to meet the issuance criteria set forth in this section or in the part(s) or section(s) specifically governing the activity for which the permit is requested.

§ 13.22 Renewal of permits.

(a) *Application for renewal.* Applicants for renewal of a permit must submit a written application at least 30 days prior to the expiration date of the permit. Applicants must certify in the form required by § 13.12(a)(5) that all statements and

information in the original application remain current and correct, unless previously changed or corrected. If such information is no longer current or correct, the applicant must provide corrected information.

(b) *Renewal criteria.* The Service shall issue a renewal of a permit if the applicant meets the criteria for issuance in § 13.21(b) and is not disqualified under § 13.21(c).

(c) *Continuation of permitted activity.* Any person holding a valid, renewable permit, who has complied with this section, may continue the activities authorized by the expired permit until the Service has acted on such person's application for renewal.

(d) *Denial.* The issuing officer may deny renewal of a permit to any applicant who fails to meet the issuance criteria set forth in § 13.21 of this part, or in the part(s) or section(s) specifically governing the activity for which the renewal is requested.

§ 13.23 Amendment of permits.

(a) *Permittee's request.* Where circumstances have changed so that a permittee desires to have any condition of his permit modified, such permittee must submit a full written justification and supporting information in conformity with this part and the part under which the permit was issued.

(b) *Service reservation.* The Service reserves the right to amend any permit for just cause at any time during its term, upon written finding of necessity.

(c) *Change of name or address.* A permittee is not required to obtain a new permit if there is a change in the legal individual or business name, or in the mailing address of the permittee. A permittee is required to notify the issuing office within 10 calendar days of such change. This provision does not authorize any change in location of the conduct of the permitted activity when approval of the location is a qualifying condition of the permit.

§ 13.24 Right of succession by certain persons.

(b) In order to secure the right provided in this section the person or persons desiring to continue the activity shall furnish the permit to the issuing officer for endorsement within 90 days from the date the successor begins to carry on the activity.

PERSONAL PETS -- EXCERPTS FROM 50 CFR 15 -- WILD BIRD CONSERVATION ACT

Subpart A -- Introduction and General Provisions

§ 15.1 Purpose of Regulations.

The regulations in this part implement the Wild Bird Conservation Act of 1992, Pub. L. 102-440; 16 U.S.C. 4901-4916.

§ 15.2 Scope of regulations.

(a) The regulations in this part apply to all species of exotic birds, as defined in section 15.3.

(b) The provisions in this part are in addition to, and are not in lieu of, other regulations of this subchapter B that may require a permit or prescribe additional restrictions or conditions for the import, export, re-export, and transportation of wildlife.

§ 15.3 Definitions.

In addition to the definitions contained in parts 10 and 23 of this subchapter B, and unless the context requires otherwise, in this part:

Documentation means a description of how scientific information was collected, including the methodologies used; names and institutions of individuals conducting the work; dates and locations of any study; and any published results or reports from the work.

Exotic bird means any live or dead member of the Class Aves that is not indigenous to the 50 States or the District of Columbia, including any egg or offspring thereof, but does not include domestic poultry, dead sport-hunted birds, dead museum specimens, dead scientific specimens, products manufactured from such birds, or birds in any of the following families: Phasianidae, Numididae, Cracidae, Meleagrididae, Megapodiidae, Anatidae, Struthionidae, Rheidae, Dromaiinae, and Gruidae.

Indigenous means a species that is naturally occurring, not introduced as a result of human activity, and that currently regularly inhabits or breeds in the 50 States or the District of Columbia.

Life cycle means the annual processes involved with breeding, migration, and all other non-breeding activities.

Person means an individual, corporation, partnership, trust, association, or any other private entity; or any officer, employee, agent, department, or instrumentality of the Federal Government, of any State, municipality, or political subdivision of a State, or of any foreign government; any State, municipality, or political subdivision of a State; or any other entity subject to the jurisdiction of the United States.

Species means any species, any subspecies, or any distinct population segment of a species or subspecies, and includes hybrids of any species or subspecies. Hybrids will be treated according to the more restrictive appendix or category in which either parental species is listed.

Status means a qualitative measure of the vulnerability to extinction or extirpation of a population at a given time (e.g., endangered, threatened, vulnerable, non-threatened, or insufficiently known).

Sustainable use means the use of a species in a manner and at a level such that populations of the species are maintained at biologically viable levels for the long term and involves a determination of the productive capacity of the species and its ecosystem, in order to ensure that utilization does not exceed those capacities or the ability of the population to reproduce, maintain itself and perform its role or function in its ecosystem.

Trend means a long-term assessment of any change in the absolute or relative size of a species' population or habitat over time (e.g., increasing, decreasing, at equilibrium, insufficiently known).

United States means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

Subpart B -- Prohibitions and Requirements

§ 15.11 Prohibitions.

(a) Except as provided under a permit issued pursuant to subpart C of this part, it is unlawful for any person subject to the jurisdiction of the United States to commit, attempt to commit, to solicit another to commit, or to cause to be committed, any of the acts described in paragraphs (b) through (f) of this section in regard to any exotic bird.

(b) It is unlawful to import into the United States any exotic bird species listed in the Appendices to the Convention that is not included in the approved list of species, pursuant to subpart D of this part, except that this paragraph (b) does not apply to any exotic bird that was bred in a foreign breeding facility listed as qualifying pursuant to subpart E of this part.

(c) It is unlawful to import into the United States any exotic bird species not listed in the Appendices to the Convention that is listed in the prohibited species list, pursuant to subpart F of this part.

(d) It is unlawful to import into the United States any exotic bird species from any country included in the prohibited country list, pursuant to subpart F of this part.

(e) It is unlawful to import into the United States any exotic bird species from a qualifying facility breeding exotic birds in captivity, listed pursuant to subpart E of this part, if the exotic bird was not captive-bred at the listed facility.

(f) It is unlawful for any person subject to the jurisdiction of the United States to engage in any activity with an exotic bird imported under a permit issued pursuant to this part that violates a condition of said permit.

§ 15.12 Requirements.

(a) No person shall import into the United States any exotic bird except as may be permitted under the terms of a valid permit issued pursuant to the provisions of subpart C and 50 CFR part 13, or in accordance with the provisions of subparts D-F of this part 15, or in accordance with the provisions of paragraph (b) of this section.

(b) Any exotic bird can be imported to the United States if it was legally exported from the United States with a permit issued by the Service's Office of Management Authority, provided that the import is by the same person who exported the bird, the import is accompanied by a copy of the cleared CITES export permit or certificate issued by the Service that was used to export the exotic bird, and the Service is satisfied that the same bird is being imported as is indicated on the aforementioned permit or certificate.

Subpart C -- Permits and Approval of Cooperative Breeding Programs

§ 15.21 General application procedures.

(a) The Director may issue a permit authorizing the importation of exotic birds otherwise prohibited by § 15.11, in accordance with the issuance criteria of this subpart, for the following purposes only: scientific research; zoological breeding or display programs; cooperative breeding programs designed to promote the conservation and maintenance of the species in the wild; or personally owned pets accompanying persons returning to the United States after being out of the country for more than 1 year.

(b) Additional requirements as indicated in parts 13, 14, 17, 21, and 23 of this subchapter must also be met.

(c) Applications for permits under this subpart and approval of cooperative breeding programs under this subpart shall be submitted to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 N. Fairfax Drive, [Room 700,] Arlington, Virginia 22203 by the person wishing to engage in the activity. Each application must be submitted on an official application (Form 3-200) provided by the Service and must contain all of the information specified in the applicable section, § 15.22-15.26. The sufficiency of the application shall be determined by the Director in accordance with the requirements of this part and part 13 of this subchapter.

§ 15.25 Permits for personal pets.

(a) Application requirements for personal pets not intended for sale. No individual may import more than two exotic birds as pets in any year. Each application shall provide the following information and such other information that the Director may require:

(1) A description of the exotic bird to be imported, including:

(i) The common and scientific names, number, age, and when known, sex;

(ii) A band number, house name, or any other unique identifying feature; and

(iii) A statement as to whether the exotic bird was bred in captivity or taken from the wild;

(2) A statement of the reasons the applicant is justified in obtaining a permit;

(3) Documentation showing that the applicant has continually resided outside of the United States for a minimum of one year;

(4) A statement of the number of exotic birds imported during the previous 12 months as personal pets by the applicant;

(5) Information on the origin of the exotic bird, including:

(i) Country of origin; and

(ii) A description and documentation of how the exotic bird was acquired, including a copy of any Convention permit under which the bird was re-exported or exported. If there is no such permit, a sales receipt or signed statement from seller with name and address of seller, date of sale, species, and other identifying information on the bird or signed breeder's certificate or statement with name and address of breeder, date of sale or transfer, species and hatch date; and

(b) Issuance criteria. Upon receiving an application completed in accordance with paragraph (a) of this section, the Director will decide whether or not a permit should be issued. In making this decision, the Director shall consider, in addition to the general criteria in part 13 of this subchapter, the following factors:

(1) Whether the proposed import would be detrimental to the survival of the exotic bird species in the wild;

(2) Whether the exotic bird to be imported is a personal pet owned by the applicant, who has continuously resided outside the United States for a minimum of one year; and

(3) Whether the number of exotic birds imported in the previous 12 months by the applicant does not exceed two.

(c) Permit conditions. In addition to the general conditions set forth in part 13 of this subchapter, every permit issued under this section shall be subject to special conditions that no individual may import more than two exotic birds as personal pets in any year, the exotic birds cannot be imported with the intention to sell, and any other conditions as the Director may deem appropriate.

(d) Duration of permits. The duration of the import permits issued under this section shall be designated on the face of the permit.

Subpart D -- Approved List of Species Listed in the Appendices to the Convention

§ 15.31 Criteria for including species in the approved list for captive-bred species.

The Director will periodically review the list of captive-bred exotic bird species in paragraph 15.33(a), for which importation into the United States is approved. Any exotic bird species listed in paragraph 15.33(a) pursuant to this section must meet all of the following criteria:

(a) All specimens of the species known to be in trade (legal or illegal) are captive-bred;

(b) No specimens of the species are known to be removed from the wild for commercial purposes;

(c) Any importation of specimens of the species would not be detrimental to the survival of the species in the wild; and

(d) Adequate enforcement controls are in place to ensure compliance with paragraphs (a) through (c) of this section.

§ 15.33 Species included in the approved list.

(a) Captive-bred species. The list in this paragraph includes species of captive-bred exotic birds for which importation into the United States is not prohibited by section 15.11. The species are grouped taxonomically by order.

<u>Species</u>	<u>Common name</u>
Order Falconiiformes:	
<i>Buteo buteo</i>	Common European buzzard.
Order Columbiformes:	
<i>Columba livia</i>	Rock dove.
Order Psittaciformes:	
<i>Agapornis personata</i>	Masked lovebird.
<i>Agapornis roseicollis</i>	Peach-faced lovebird.
<i>Aratinga jandaya</i>	Jendaya conure.
<i>Barnardius barnardi</i>	Mallee ringneck parrot.
<i>Bolborhynchus lineola</i> (blue form)	Lineolated parakeet (blue form).
<i>Bolborhynchus lineola</i> (yellow form)	Lineolated parakeet (yellow form).
<i>Bolborhynchus lineola</i> (white form)	Lineolated parakeet (white form).
<i>Cyanoramphus auriceps</i>	Yellow-fronted Parakeet.
<i>Cyanoramphus novaezelandiae</i>	Red-fronted parakeet.
<i>Forpus coelestis</i> (lutino form)	Pacific parrotlet (lutino form).
<i>Forpus coelestis</i> (yellow form)	Pacific parrotlet (yellow form).
<i>Forpus coelestis</i> (blue form)	Pacific parrotlet (blue form).
<i>Forpus coelestis</i> (cinnamon form)	Pacific parrotlet (cinnamon form).
<i>Melopsittacus undulatus</i>	Budgerigar.
<i>Neophema bourkii</i>	Bourke's parrot.
<i>Neophema chrysostoma</i>	Blue-winged Parrot.

<i>Neophema elegans</i>	Elegant Parrot.
<i>Neophema pulchella</i> *	Turquoise parrot.
<i>Neophema splendida</i> *	Scarlet-chested parrot.
<i>Nymphicus hollandicus</i>	Cockatiel.
<i>Platycercus adalaidae</i>	Adelaide rosella.
<i>Platycercus adscitus</i>	Pale-headed rosella.
<i>Platycercus elegans</i>	Crimson rosella.
<i>Platycercus eximius</i>	Eastern rosella.
<i>Platycercus icterotis</i>	Western (stanley) rosella.
<i>Platycercus venustus</i>	Northern rosella.
<i>Polytelis alexandrae</i>	Princess parrot.
<i>Polytelis anthopeplus</i>	Regent parrot.
<i>Polytelis swainsonii</i>	Superb parrot.
<i>Psephotus chrysopterygius</i> *	Golden-shouldered parakeet.
<i>Psephotus haematonotus</i>	Red-rumped parakeet.
<i>Psephotus varius</i>	Mulga parakeet.
<i>Psittacula eupatria</i> (blue form)	Alexandrine parakeet (blue form).
<i>Psittacula eupatria</i> (lutino form)	Alexandrine parakeet (lutino form).
<i>Psittacula krameri manillensis</i>	Indian ringneck parakeet.
<i>Purpureicephalus spurius</i>	Red-capped parrot.
<i>Trichoglossus chlorolepidotus</i>	Scaly-breasted lorikeet.
Order Passeriformes:	
<i>Aegintha temporalis</i>	Red-browed Finch.
<i>Aidemosyne modesta</i>	Cherry Finch.
<i>Chloebia gouldiae</i>	Gouldian finch.
<i>Emblema guttata</i>	Diamond Sparrow.
<i>Emblema picta</i>	Painted finch.
<i>Lonchura castaneothorax</i>	Chestnut-breasted finch.
<i>Lonchura domestica</i>	Society (=Bengalese) finch.
<i>Lonchura pectoralis</i>	Pictorella finch.
<i>Neochmia ruficauda</i>	Star finch.
<i>Poephila acuticauda</i>	Long-tailed grassfinch.
<i>Poephila bichenovii</i>	Double-barred finch.
<i>Poephila cincta</i>	Parson finch.
<i>Poephila guttata</i>	Zebra finch.
<i>Poephila personata</i>	Masked finch.
<i>Serinus canaria</i>	Common Canary.

* Note: Permits are still required for these species under part 17 (species listed as endangered or threatened under the Endangered Species Act (ESA)) of this chapter.

(CFR 10/1/97)